Case: 12-11640-JMD Doc #: 1 Filed: 05/19/12 Desc: Main Document Page 1 of 10

Name of Joint Debtor (Spouse) (Last, First, Middle):

Voluntary Petition

United States Bankruptcy Court

District of New Hampshire

B1 (Official Form 1) (12/11)

Name of Debtor (if individual, enter Last, First, Middle):

Merullo, Anthony A.						
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):			All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):			
Last four digits of Soc. Sec. or Individual-Taxpayer I (if more than one, state all): 4189	.D. (ITIN) /Complete	e EIN	Last four digits of (if more than one,	Soc. Sec. or Individual-state all):	Taxpayer I.D.	(ITIN) /Complete EIN
Street Address of Debtor (No. & Street, City, State & 24 New Orchard Rd	z Zip Code):		Street Address of .	Joint Debtor (No. & Stro	eet, City, State	e & Zip Code):
Epsom, NH	ZIPCODE 03234	ļ.	ZIPCODE		IPCODE	
County of Residence or of the Principal Place of Bus Merrimack	iness:		County of Residen	nce or of the Principal Pl	ace of Busine	ss:
Mailing Address of Debtor (if different from street as PO Box 548	ddress)		Mailing Address of	of Joint Debtor (if different	ent from street	t address):
Epsom, NH	ZIPCODE 03234	-0548			Z	IPCODE
Location of Principal Assets of Business Debtor (if d	ifferent from street a	address abo	ve):			
		_			Z	IPCODE
Type of Debtor (Form of Organization)		Nature of Business (Check one box.)				Code Under Which Check one box.)
(Check one box.) ✓ Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. ☐ Corporation (includes LLC and LLP) ☐ Partnership ☐ Other (If debtor is not one of the above entities, check this box and state type of entity below.)	Health Care Business Single Asset Real Estate as defined in 11 U.S.C. § 101(51B) Railroad Stockbroker Commodity Broker Clearing Bank		☐ Chapter 7 ☐ Chapter 15 Petition for ☐ Chapter 9 ☐ Recognition of a Foreign ☐ Chapter 11 ☐ Chapter 12 ☐ Chapter 15 Petition for ☐ Chapter 13 ☐ Recognition of a Foreign ☐ Nonmain Proceeding ☐ Nature of Debts ☐ (Check one box.)			
Chapter 15 Debtor Country of debtor's center of main interests: Each country in which a foreign proceeding by, regarding, or against debtor is pending:	Ta: (Checl Debtor is a ta: Title 26 of the	Tax-Exempt Entity (Check box, if applicable.) □ Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).		Debts are primar debts, defined in § 101(8) as "incu individual primar personal, family, hold purpose."	rily consumer 11 U.S.C. arred by an rily for a	Debts are primarily business debts.
Filing Fee (Check one box) Full Filing Fee attached Filing Fee to be paid in installments (Applicable to only). Must attach signed application for the court consideration certifying that the debtor is unable to except in installments. Rule 1006(b). See Official	o individuals 's Ch	Debtor is a heck if: Debtor's ag	a small business deb not a small business agregate noncontingent	Chapter 11 Debto otor as defined in 11 U.S. debtor as defined in 11 liquidated debts (excluding to adjustment on 4/01/13 and	S.C. § 101(511 U.S.C. § 101 g debts owed to and every three y	(51D). insiders or affiliates) are less
Filing Fee waiver requested (Applicable to chapter only). Must attach signed application for the court consideration. See Official Form 3B.	's \square	A plan is b	plicable boxes: being filed with this ses of the plan were e with 11 U.S.C. §	petition solicited prepetition from		e classes of creditors, in
Statistical/Administrative Information ✓ Debtor estimates that funds will be available for or Debtor estimates that, after any exempt property distribution to unsecured creditors.				e will be no funds availa	ble for	THIS SPACE IS FOR COURT USE ONLY
Estimated Number of Creditors 1-49 50-99 100-199 200-999 1,00 5,00		10,0 25,0			Over 100,000	
Estimated Assets \$\text{\begin{array}{ c c c c c c c c c c c c c c c c c c c		001 \$50 iillion \$10		000,001 \$500,000,00 0 million to \$1 billion	More than \$1 billion	

\$50,001 to \$100,001 to \$500,001 to \$1,000,001 to \$10,000,001 \$50,000,001 to \$100,000,001 \$500,000,001 More than

to \$50 million \$100 million

to \$500 million to \$1 billion

\$1 billion

\$10 million

\$1 million

Estimated Liabilities

\$50,000 \$100,000 \$500,000

Case: 12-11640-JMD Doc #: 1 Filed: 05/19/12 Desc: Main Document Page 2 of 10 B1 (Official Form 1) (12/11) Page 2 Name of Debtor(s): **Voluntary Petition** Merullo, Anthony A. (This page must be completed and filed in every case) All Prior Bankruptcy Case Filed Within Last 8 Years (If more than two, attach additional sheet) Date Filed: Case Number: Location Where Filed: None Location Case Number: Date Filed: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: None District: Relationship: Judge: Exhibit B Exhibit A (To be completed if debtor is an individual (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to whose debts are primarily consumer debts.) Section 13 or 15(d) of the Securities Exchange Act of 1934 and is I, the attorney for the petitioner named in the foregoing petition, declare requesting relief under chapter 11.) that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have Exhibit A is attached and made a part of this petition. explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. § 342(b). X /s/ Joel Jay Rogge, Esq. 5/19/12 Signature of Attorney for Debtor(s) Date Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health Yes, and Exhibit C is attached and made a part of this petition. ▼ No Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: Exhibit D also completed and signed by the joint debtor is attached a made a part of this petition. Information Regarding the Debtor - Venue (Check any applicable box.) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of landlord)

□ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and
 □ Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).

filing of the petition.

BT (Official Form 1) (12/11)	- Tuge 3
Voluntary Petition (This page must be completed and filed in every case)	Name of Debtor(s): Merullo, Anthony A.
	atures
Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative
I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under Chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b). I request relief in accordance with the chapter of title 11, United States Code, specified in this petition. X /s/ Anthony A. Merullo Signature of Debtor Telephone Number (If not represented by attorney) May 19, 2012 Date	I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition. (Check only one box.) I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached. Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached. X Signature of Foreign Representative Printed Name of Foreign Representative Date
Signature of Attorney* X /s/ Joel Jay Rogge, Esq. Signature of Attorney for Debtor(s) Joel Jay Rogge, Esq. 04474 Law Office of Joel Jay Rogge 84 County Road Ipswich, MA 01938-2356 (978) 356-7040 Fax: (978) 356-3678 jjrogge@comcast.net	Signature of Non-Attorney Petition Preparer I declare under penalty of perjury that: 1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; 2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h) and 342(b); and 3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached. Printed Name and title, if any, of Bankruptcy Petition Preparer Social Security Number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)
May 19, 2012 Date *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.	Address
Signature of Debtor (Corporation/Partnership) I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.	X Signature Date
The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.	Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above. Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is
Signature of Authorized Individual	not an individual:
Printed Name of Authorized Individual Title of Authorized Individual	If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person. A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.
Date	

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B1D (Official Form 1, Exhibit D) (12/09)

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Date: May 19, 2012

United States Bankruptcy Court District of New Hampshire

District of	New Hampshite
IN RE:	Case No.
Merullo, Anthony A.	Chapter <u>13</u>
	OR'S STATEMENT OF COMPLIANCE LLING REQUIREMENT
do so, you are not eligible to file a bankruptcy case, and the c whatever filing fee you paid, and your creditors will be able	e statements regarding credit counseling listed below. If you cannot court can dismiss any case you do file. If that happens, you will lose to resume collection activities against you. If your case is dismissed ired to pay a second filing fee and you may have to take extra steps
Every individual debtor must file this Exhibit D. If a joint petition one of the five statements below and attach any documents as di	is filed, each spouse must complete and file a separate Exhibit D. Check rected.
the United States trustee or bankruptcy administrator that outlin	case, I received a briefing from a credit counseling agency approved by ed the opportunities for available credit counseling and assisted me in the agency describing the services provided to me. Attach a copy of the bough the agency.
the United States trustee or bankruptcy administrator that outlin performing a related budget analysis, but I do not have a certifica	case, I received a briefing from a credit counseling agency approved by ed the opportunities for available credit counseling and assisted me in the from the agency describing the services provided to me. You must file ovided to you and a copy of any debt repayment plan developed through filed.
	approved agency but was unable to obtain the services during the seven gent circumstances merit a temporary waiver of the credit counseling exigent circumstances here.]
you file your bankruptcy petition and promptly file a certificate of any debt management plan developed through the agency. case. Any extension of the 30-day deadline can be granted on also be dismissed if the court is not satisfied with your reason counseling briefing.	l obtain the credit counseling briefing within the first 30 days after te from the agency that provided the counseling, together with a copy Failure to fulfill these requirements may result in dismissal of your ly for cause and is limited to a maximum of 15 days. Your case may ons for filing your bankruptcy case without first receiving a credit cause of: [Check the applicable statement.] [Must be accompanied by a
motion for determination by the court.]	d by reason of mental illness or mental deficiency so as to be incapable
of realizing and making rational decisions with respect to	financial responsibilities.); ally impaired to the extent of being unable, after reasonable effort, to
5. The United States trustee or bankruptcy administrator has does not apply in this district.	letermined that the credit counseling requirement of 11 U.S.C. § 109(h)
I certify under penalty of perjury that the information provi	ded above is true and correct.
Signature of Debtor: /s/ Anthony A. Merullo	

UNITED STATES BANKRUPTCY COURT

NOTICE TO CONSUMER DEBTOR(S) UNDER §342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a joint case (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days <u>before</u> the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$46 administrative fee, \$15 trustee surcharge: Total fee \$306)

Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, the United States trustee (or bankruptcy administrator), the trustee, or creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your

discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

<u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$46 administrative fee: Total fee \$281)

Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

Chapter 11: Reorganization (\$1000 filing fee, \$46 administrative fee: Total fee \$1046)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$46 administrative fee: Total fee \$246)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

WARNING: Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court. The documents and the deadlines for filing them are listed on Form B200, which is posted at http://www.uscourts.gov/bkforms/bankruptcy_forms.html#procedure.

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United States Bankruptcy Court District of New Hampshire

IN RE:		Case No
Merullo, Anthony A.		Chapter 13
•	Debtor(s)	1

CERTIFICATION OF NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b) OF THE BANKRUPTCY CODE			
Certificate of [Non-Attorney] Bankruptcy Petition Prepa	rer	
I, the [non-attorney] bankruptcy petition preparer signing the debt notice, as required by § 342(b) of the Bankruptcy Code.	or's petition, hereby certify that I	delivered to the debtor the attached	
Printed Name and title, if any, of Bankruptcy Petition Preparer Address:	petition the Soc princip	Security number (If the bankruptcy a preparer is not an individual, state ital Security number of the officer, al, responsible person, or partner of kruptcy petition preparer.)	
X	(Requi	red by 11 U.S.C. § 110.)	
Certificate	of the Debtor		
I (We), the debtor(s), affirm that I (we) have received and read the	e attached notice, as required by §	342(b) of the Bankruptcy Code.	
Merullo, Anthony A.	X /s/ Anthony A. Merullo	5/19/2012	
Printed Name(s) of Debtor(s)	Signature of Debtor	Date	
Case No. (if known)	X Signature of Joint Debtor (D.	
	Signature of Joint Debtor (if any) Date	

Instructions: Attach a copy of Form B 201A, Notice to Consumer Debtor(s) Under § 342(b) of the Bankruptcy Code.

Use this form to certify that the debtor has received the notice required by 11 U.S.C. § 342(b) **only** if the certification has **NOT** been made on the Voluntary Petition, Official Form B1. Exhibit B on page 2 of Form B1 contains a certification by the debtor's attorney that the attorney has given the notice to the debtor. The Declarations made by debtors and bankruptcy petition preparers on page 3 of Form B1 also include this certification.

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United States Bankruptcy Court District of New Hampshire

IN RE:		Case No
Merullo, Anthony A.		Chapter 13
· · · · · · · · · · · · · · · · · · ·	Debtor(s)	
	VERIFICATION OF CREDITOR	RMATRIX
•	ct and consistent with the Debtor's sc	attached master mailing list of creditors, consisting hedules pursuant to Local Bankruptcy Rules and
Date: May 19, 2012	/s/ Anthony A. Merullo	
	Debtor Signature	
	Merullo, Anthony A. 24 New Orchard Rd Epsom, NH 03234	

Capital One P. O. Box 30281 Salt Lake City, UT 84130

Discover Financial Services LLC PO Box 15316 Wilmington, DE 19850-5316

Gragil Associates 29 Winter St Pembroke, MA 02359-1987

HSBC Best Buy PO Box 5253 Carol Stream, IL 60197-5253

Joe Coulp 106 Dover Neck Rd Dover, NH 03820-4931

Medical-Elliot Physicians Network 40 Buttrick Rd Londonderry, NH 03053-3381

Mundaca Investment Corp. C/O Haughey, Philpot & Laurent, P.A. 816 N Main St Laconia, NH 03246-2603

Ocwen Loan Servcing LLC 1661 Worthington Rd Ste 100 West Palm Beach, FL 33409-6493

Schechtman Halperin Savage, LLP 1080 Main St Pawtucket, RI 02860-4847 Scot Schmid 675 N Pembroke Rd Pembroke, NH 03275-3818

SEARS/CBNA PO Box 6282 Sioux Falls, SD 57117-6282